

THE HON. RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRIDENT SEAFOODS CORPORATION,
a Washington corporation,

Plaintiff,

v.

COMMONWEALTH INSURANCE
COMPANY,

Defendant.

No.: 2:10-CV-00214-RAJ

ORDER

This matter comes before the court on three discovery motions: Defendant's motion for a protective order (Dkt. # 55), Plaintiff's motion to compel (Dkt. # 58), and Plaintiff's motion to compel (Dkt. # 60). The court conducted a hearing on these motions, among other pending matters, on November 2, 2011, and orally ruled as to the discovery motions. This order memorializes those rulings.

As to Defendant's motion for a protective order, some of the issues (regarding the policies and procedures for claims handling) are now moot. The motion (Dkt. # 55) is GRANTED IN PART as to the reserve information. The court RESERVES RULING on the litigation history issue, pending Plaintiff's tailoring of the discovery request no later than November 4, 2011. The parties may depose Defendant's compliance officer no later

1 than November 18, 2011. If the deposition does not resolve the outstanding issues, the
2 parties must each file, no later than November 28, a five-page brief outlining the disputes
3 requiring judicial resolution.

4 As to Plaintiff's motion to compel (Dkt. # 58), most of the issues are now moot.
5 As to the loss limit of liability endorsements, the court RESERVES RULING. Plaintiff
6 must, no later than 3 p.m. on November 3, 2011, provide Defendant with a draft inquiry
7 that could be provided to Defendant underwriters to request the endorsement information
8 sought. If Defendant does not agree that the draft inquiry is appropriate, Defendant shall
9 contact the court's deputy, Victoria Ericksen, to schedule a telephone conference for
10 November 4, 2011, wherein the court can resolve this issue.

11 As to the Plaintiff's motion to compel (Dkt. # 60), the court REFERS the motion
12 to a special discovery master. Counsel shall confer as to selection of the special master,
13 and shall bear the costs associated with the special master equally.

14 Thus, for the reasons explained here and on the record, the court DENIES AS
15 MOOT IN PART, GRANTS IN PART, and RESERVES RULING IN PART
16 Defendant's motion (Dkt. # 55); DENIES AS MOOT IN PART and RESERVES
17 RULING IN PART Plaintiff's motion (Dkt. # 58); and TERMINATES Plaintiff's motion
18 (Dkt. # 60) as referred to a special discovery master. The clerk is directed to terminate
19 these motions (Dkt. ## 55, 58, 60) from the court's motion calendar.

20 DATED this 2nd day of November, 2011.

21 
22

23 The Honorable Richard A. Jones
24 United States District Judge
25
26